



September 23, 2014

VIA EFILING

**Vincent P. Pozzuto**

Direct Phone 212-908-1284  
Direct Fax 866-591-9124  
vpozzuto@cozen.com

Honorable Paul G. Gardephe  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2204  
New York, New York 10007

**Re: Schwartz v. Intimacy in New York**  
**Case No.: 13-CV-5735**

Dear Honorable Judge Gardephe:

This firm represents the Defendants, Intimacy in New York, LLC and Intimacy Management Company, LLC in the above matter.

We write to advise the court that the parties have reached a settlement in principle in this matter. Presently pending before the Court is Defendants' motion to bifurcate discovery between "merits" discovery and "class" discovery. Due to the fact that this is a class action, the proposed settlement will have to be approved by the Court. As such we would ask the court to mark the pending motion "withdrawn without prejudice to renew" in the event that the settlement is not approved.

We thank the Court for its time and attention.

Respectfully,

COZEN O'CONNOR

By:   
Vincent P. Pozzuto

VPP:ad

cc: Robert Lash  
Bryant T. Lamer  
Shimshon Wexler

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